

**CASE DIGEST:**     *U.S. Dep't of VA, Med. Ctr., Kan. City, Mo.* 72 FLRA 243 (2021)  
(Chairman DuBester dissenting)

The Arbitrator found that the Agency violated the parties' collective-bargaining agreement and a memorandum of understanding when it stopped participating in labor-management meetings. The Agency excepted to the award as failing to draw its essence from the parties' agreement and being contrary to Executive Order No. 13,812 (EO 13,812). The Authority granted the exceptions, finding that the executive order, and implementation guidance from the Office of Personnel Management, allowed the Agency to nullify a provision in the parties' agreement that was based on an earlier executive order rescinded by EO 13,812. The Authority also noted that, because the relevant provision in the agreement was entirely voluntary, ceasing participation in the meetings did not constitute abrogation.

Chairman DuBester dissented, finding that the Arbitrator reasonably concluded that the Agency violated the parties' agreements.

This case digest is a summary of a decision issued by the Federal Labor Relations Authority, with a short description of the issues and facts of the case. Descriptions contained in this case digest are for informational purposes only, do not constitute legal precedent, and are not intended to be a substitute for the opinion of the Authority.